

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 SCEM-02 INT-08 SS-20 L-03

DRC-01 /091 W

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R 211541Z DEC 73

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 2641

INFO AMEMBASSY LONDON

AMEMBASSY BONN

AMEMBASSY BRUSSELS

UNCLAS THE HAGUE 5614

E.O. 11652: N/A

TAGS: ETRN NL

SUBJ: CIVAIR: REPORTED PART-CHARTER PLAN

CIVILAIR ORDER TO KLM DATED 11 DECEMBER, RLD/POL/L-26676, AUTHORIZES CARRIAGE OF CHARTER PASSENGERS ON SCHEDULED FLIGHTS UNDER CERTAIN STIPULATIONS AND SPECIFICALLY APPLIES AUTHORIZATION TO FOREIGN IATA CARRIERS OPERATING IN NETHERLANDS. ORDER REFERS TO CIVILAIR ORDER DATED 30 NOV, WHICH WE ARE INFORMED WAS APPROVED BY COUNCIL OF MINISTERS, AUTHORIZING COMBINATION OF AIR SERVICES AND OTHER POSSIBLE MEASURES TO CONSERVE FUEL DURING OIL CRISIS. CURRENT ORDER IS LIMITED TO 90 DAY VALIDITY AND IMPOSES CONDITIONS, SUCH AS SUBMISSION OF CHARTER PASSENGER LISTS, TO PREVENT ABUSE. CIVILAIR ASSUMES KLM IS FILING ORDER WITH RPPROPRIATE FOREIGN AUTHORITIES WITH REQUEST FOR AUTHORIZATION. PAA HAS BEEN INFORMED. ORDER FOLLOWS:

QUOTE WITH REFERENCE TO THE GOVERNMENT ORDER RLD/POL/L-26521 DATED NOVEMBER 30, 1973 YOUR COMPANY IS AUTHORIZED-BY WAY OF AN EMERGENCY MEASURE-TO TRANSPORT CHARTER PASSENGERS AND/OR CHARTER CARGO ON SCHEDULED SERVICES, TO ACHIEVE MAXIMUM SAVINGS IN AIRCRAFT FUEL CONSUMPTION.

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1. EXCEPT IF OTHERWISE DECREED IN THE FOLLOWING PARAGRAPHS THE

CARRIAGE OF CHARTER PASSENGERS AND/OR CHARTER CARGO REMAINS FULLY SUBJECT TO THE CHARTER REGULATIONS NORMALLY APPLIED BY THE NETHERLANDS CIVIL AVIATION AUTHORITIES.

2. IN CONSULTATION WITH THE CHARTERER(S), PASSENGERS AND/OR CARGO CONTRACTED FOR ON-AND OFF-ROUTE CHARTER FLIGHTS TO BE OPERATED BY YOUR COMPANY, FOR WHICH THE NECESSARY PERMISSION HAS BEEN OBTAINED FROM THE NETHERLANDS CIVIL AVIATION AUTHORITIES, MAY BE ACCOMMODATED ON YOUR SCHEDULED SERVICES OR ON THOSE OF OTHER CARRIERS, WITHOUT REGARD TO GROUP SIZE AND/OR CARGO LOAD AND NUMBER OF FLIGHTS UTILIZED. IN THE CASE OF OFF-ROUTE CHARTER FLIGHTS THE PASSENGERS AND/OR CARGO MAY BE TRANSPORTED FROM/TO THE OFF-ROUTE ORIGIN AND/OR DESTINATION POINTS BY WHATEVER MODE OF TRANSPORTATION BEST MEETS THE TRAVEL NEEDS OF THE CHARTER TRAFFIC AND THE CONSTRAINTS IMPOSED BY FUEL AVAILABILITY.

3. ON THE SAME CONDITIONS AS SET YOUT BEFORE, CHARTER PASSENGERS AND/OR CHARTER CARGO ORIGINALLY CONTRACTED TO BE TRANSPORTED BY ANOTHER CARRIER WHICH, DUE TO THE FUEL SITUATION, IS UNABLE TO PERFORM THE CHARTER TRANSPORTATION, MAY BE ACCOMMODATED ON YOUR SCHEDULED SERVICES.

4. IN CASES THAT CHARTER PASSENGERS ARE ACCOMMODATED ON SCHEDULED SERVICES THE PRICE TO BE PAID PER PASSENGER SHALL BE NOT LESS THAN THE SEAT PRICE AGREED UPON IN THE ORIGINAL CHARTER CONTRACT.

5. IN THE CASE OF CHARTER PASSENGERS TO BE CARRIED ON SCHEDULED SERVICES, YOUR COMPANY OR THE OTHER CARRIER(S) INVOLVED, PRIOR TO THE DEPARTURE OF THE FLIGHT, SHALL HAVE THE LIST OF THE PASSENGERS TO BE CARRIED AVAILABLE, INDICATING FOR EACH PASSENGER OR GROUP OF PASSENGERS THE ORIGINAL CHARTER FLIGHT, THE NAME OF THE CHARTERER(S) AND THE TYPE OF CHARTER TRANSPORTATION (ITC, ABC, AFFINITY OR OTHERWISE). THE ABOVE INFORMATION SHALL ALSO BE SUBMITTED TO THE NETHERLANDS CIVIL AVIATION AUTHORITIES WITHIN 10 DAYS AFTER THE DEPARTURE OF THE SCHEDULED FLIGHT CONCERNED.

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6. ON THE CONDITIONS SET FORTH IN THE PRECEDING PARAGRAPHS AND SUBJECT TO RECIPROCITY, FOREIGN IATA CARRIERS OPERATING SCHEDULED SERVICES TO AND FROM THE NETHERLANDS ARE EQUALLY ENTITLED TO APPLY THIS ORDER.

7. THIS ORDER WILL BE VALID FOR A PERIOD OF 90 DAYS STARTING ON THE DATE OF ISSUE, UNLESS REVOKED AT AN EARLIER DATE, AND MAY BE AMENDED IF CIRCUMSTANCES REQUIRE SO. UNQUOTE
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 21 DEC 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973THEHA05614
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: THE HAGUE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t1973129/aaaaagji.tel
Line Count: 114
Locator: TEXT ON-LINE
Office: ACTION EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 25 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25-Sep-2001 by thomasv0>; APPROVED <18 MAR 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: REPORTED PART-CHARTER PLAN CIVILAIR ORDER TO KLM DATED 11 DECEMBER, RLD/POL/L-26676
TAGS: ETRN, NL
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005